

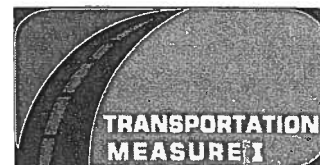


San Bernardino Associated Governments

1170 W. 3rd Street, 2nd Floor, San Bernardino, CA 92410

Phone: (909) 884-8276 Fax: (909) 885-4407

Web: www.sanbag.ca.gov



-
- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies
-

AGENDA

Administrative Committee Meeting

January 13, 2010

9:00 a.m.

Location

SANBAG

Super Chief Conference Room

1170 W. 3rd Street, 2nd Floor

San Bernardino, CA

Administrative Committee Membership

Chair – SANBAG Vice President

Supervisor Brad Mitselfelt

County of San Bernardino

SANBAG President

Mayor Paul Eaton

City of Montclair

SANBAG Past President

Supervisor Gary Ovitt

County of San Bernardino

Mt./Desert Representatives

Mayor Rick Roelle

Town of Apple Valley

Council Member Mike Leonard

City of Hesperia

Supervisor Neil Derry

County of San Bernardino

East Valley Representatives

Mayor Pro Tem Patricia Gilbreath

City of Redlands

Mayor Patrick Morris

City of San Bernardino

Supervisor Josie Gonzales

County of San Bernardino

West Valley Representatives

Mayor John Pomierski

City of Upland

Mayor Dennis Yates

City of Chino

Supervisor Paul Biane

County of San Bernardino

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

The San Bernardino County Transportation Commission, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.

The San Bernardino County Transportation Authority, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.

The Service Authority for Freeway Emergencies, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.

The Congestion Management Agency, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.

As a Subregional Planning Agency, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
Service Authority for Freeway Emergencies
County Congestion Management Agency**

AGENDA

Administrative Committee Meeting

**January 13, 2010
9:00 a.m.**

Location: SANBAG, Super Chief Conference Room, 1170 W. 3rd Street, 2nd Floor,
San Bernardino

CALL TO ORDER 9:00 a.m.
(Meeting Chaired by Brad Mitzelfelt)

- I. Attendance
- II. Announcements
- III. Agenda Notices/Modifications – Anna Aldana

1. Possible Conflict of Interest Issues for the Administrative Committee Meeting January 13, 2010. Pg. 6

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

Consent Calendar

Consent Calendar items shall be adopted by a single vote unless removed by member request.

Administrative Matters

2. Attendance Register Pg. 7

A quorum shall consist of a majority of the membership of each SANBAG Policy Committee, except that all County Representatives shall be counted as one for the purpose of establishing a quorum.

3. November and December 2009 Procurement Report Pg. 9

Receive Monthly Procurement Report. William Stawarski

Notes/Actions

Discussion Items

Administrative Matters

4. **Measure I Revenue Receipts-Program to Date** Pg. 11
Receive and File Report. **William Stawarski**
5. **Local Transportation Fund (LTF) Revised Apportionment for Fiscal Year 2009/2010 and Recommended Apportionment for Fiscal Year 2010/2011** Pg. 14
 1. Approve a decrease of \$11,560,773 to the Fiscal Year 2009/2010 LTF Receipts for a new total of \$53,430,727.
 2. Approve the use of \$1,975,046 of the \$3,975,046 audited unrestricted fund balance to minimize the impact of the loss of revenue in FY 2009/2010, retaining the remaining \$2,000,000 unrestricted balance as a Fund Reserve for any shortfall during the current or subsequent fiscal years.
 3. Approve an LTF Estimated Apportionment of \$54,232,188 for Fiscal Year 2010/2011. **Victoria Baker**
6. **FY 2010 Mid-Year Budget Review and Budget Amendment Authorization** Pg. 19
 1. Authorize the Executive Director to move funds in the approved 2009/2010 SANBAG budget from one Program area to another as may be required to adjust for changing revenue sources; and
 2. Authorize the Executive Director to amend the 2009/2010 SANBAG Budget as required up to a total amount of \$1,220,612 using Measure I Administrative, Traffic Management and Environmental Enhancement and Major Projects Funds from the undesignated fund balances. **William Stawarski**
7. **SANBAG 2010/2011 Budget Schedule** Pg. 22
Approve 2010/2011 Budget Schedule. **William Stawarski**
8. **San Bernardino Associated Governments (SANBAG) Financial Audit** Pg. 24
Receive the Annual Financial Audit for FY 2008/2009. **William Stawarski**

Discussion Items Continued....**Administrative Matters (Cont.)**

9. Request for Proposal (RFP) for Property Management/Facilities Management Services Pg. 26

Authorize staff to release Request for Proposal (RFP) 10164 for Property Management/Facilities Management Services of the San Bernardino Depot. **Duane Baker**

10. Amendment to Contract C09054 with the County of San Bernardino for Project Management Services for the Implementation of a New Financial Management Software System Pg. 28

Approve Amendment Number 1 to Contract C09054 with the County of San Bernardino for Financial Management Software System Project Management and Implementation Assistance by increasing the contract authority by \$50,000 as outlined in the Financial Impact Section. **Duane Baker**

Program Support/Council of Governments

11. SANBAG's 2009 Council of Government Activities Pg. 30

Receive report on SANBAG's Council of Government Activities for 2009. **Duane Baker**

12. Overview of SB 83 (Hancock), Chapter 554 Pg. 32

Receive information and provide direction. **Michelle Kirkhoff**

13. State Legislative Update Pg. 37

Receive and file presentation by Mark Watts, SANBAG's State Legislative Advocate, regarding recent activity in Sacramento. **Aaron Hake**

Comments from Committee Members**Public Comment****ADJOURNMENT****Additional Information****Acronym List****Pg. 40**

Complete packages of the SANBAG agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Meeting Procedures and Rules of Conduct

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. "Public Testimony on any Item" still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings
of
Board of Directors and Policy Committees**

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on "Request to Speak" forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

The Vote as specified in the SANBAG Bylaws.

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a member of the Board/Committee may "Call for the Question."
- Upon a "Call for the Question," the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair's discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair's direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

Adopted By SANBAG Board of Directors January 2008

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
 ■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 1

Date: January 13, 2010

Subject: Information Relative to Possible Conflict of Interest

Recommendation*: Note agenda items and contractors/subcontractors which may require member abstentions due to possible conflicts of interest.

Background: In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual. This agenda contains recommendations for action relative to the following contractors:

| Item No. | Contract No. | Contractor/Agents | Subcontractors |
|----------|--------------|-------------------|----------------|
| | | NONE | |

Financial Impact: This item has no direct impact on the budget.

Reviewed By: This item is prepared monthly for review by the Board of Directors and Policy Committee members.

*

*Approved
Administrative Committee*

Date: _____

Moved: _____ Second: _____

In Favor: _____ Opposed: _____ Abstained: _____

Witnessed: _____

ADMINISTRATIVE COMMITTEE ATTENDANCE RECORD – 2010

| Name | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
|---|-----|-----|-------|-------|-----|------|------|-----|------|-----|-----|-----|
| Paul Biane Board of Supervisors | | | | | | | | | | | | |
| Patrick Morris City of San Bernardino | | | | | | | | | | | | |
| Mike Leonard City of Hesperia | | | | | | | | | | | | |
| Patricia Gilbreath City of Redlands | | | | | | | | | | | | |
| Paul Eaton City of Montclair | | | | | | | | | | | | |
| Josie Gonzales Board of Supervisors | | | | | | | | | | | | |
| Brad Mitzelfelt Board of Supervisors | | | | | | | | | | | | |
| Gary Ovitt Board of Supervisors | | | | | | | | | | | | |
| Dennis Yates City of Chino | | | | | | | | | | | | |
| John Pomierski City of Upland | | | | | | | | | | | | |
| Rick Roelle Town of Apple Valley | | | | | | | | | | | | |
| Neil Derry Board of Supervisors | | | | | | | | | | | | |

X = Member attended meeting.

Empty box = Member did not attend meeting

Crossed out box = Not a member at the time.

ADMINISTRATIVE COMMITTEE ATTENDANCE RECORD – 2009

| Name | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
|--|-----|-----|-------|-------|-----|------|------|-----|------|-----|-----|-----|
| Paul Biane Board of Supervisors | X | X | | X | X | X | | X | | X | | |
| Patrick Morris City of San Bernardino | X | X | X | X | X | X | X | X | | X | X | |
| Mike Leonard City of Hesperia | X | X | | X | X | X | X | X | | X | X | |
| Bea Cortes City of Grand Terrace | X | | | | | | | | | | | |
| Patricia Gilbreath City of Redlands | | X | X | X | X | X | X | X | | X | X | |
| Paul Eaton City of Montclair | X | X | X | | X | X | X | X | | X | X | |
| Josie Gonzales Board of Supervisors | | | | | | | | | | X | X | |
| Brad Mitzelfelt Board of Supervisors | X | | X | | | X | X | X | | X | X | |
| Gary Ovitt Board of Supervisors | | X | X | X | X | X | | X | | X | | |
| Dennis Yates City of Chino | X | X | X | X | X | X | X | X | | X | X | |
| Gwenn Norton-Perry City of Chino Hills | X | X | | X | X | X | X | | | X | | |
| Rick Roelle Town of Apple Valley | | X | | X | | X | | X | | | | |
| Neil Derry Board of Supervisors | | | | | | | X | X | | X | X | |

Crossed out box = Not a member at the time.

Empty box = Member did not attend meeting

X = Member attended meeting.

*The Administrative Committee did not meet in September and December

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 3

Date: January 13, 2010

Subject: November and December 2009 Procurement Report

Recommendation: Receive Monthly Procurement Report.

Background: The Board of Directors approved the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997. The Executive Director, or designee, is authorized to approve Purchase Orders up to an amount of \$50,000. All procurements for supplies and services approved by the Executive Director, or his designee, in excess of \$5,000 shall be routinely reported to the Administrative Committee and to the Board of Directors.

Attached are the purchase orders in excess of \$5,000 to be reported to the Administrative Committee for the months of November and December 2009.

Financial Impact: This item imposes no impact on the FY 2009/2010 Budget. Presentation of the monthly procurement report will demonstrate compliance with the Contracting and Procurement Policy (Policy No. 11000).

Reviewed By: This item is scheduled for review by the Administrative Committee on January 13, 2010.

Responsible Staff: William Stawarski, Chief Financial Officer

Approved
Administrative Committee

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

NOVEMBER AND DECEMBER 2009 REPORT OF PURCHASE ORDERS

| | Vendor | Purpose | Sole Source Y/N | Amount |
|---------|-----------------------------|--|---|---------------------|
| 10TWSSS | The Whistle Stop Snack Shop | Refreshments for SANBAG Board and SANBAG policy committee meetings | No | \$12,400.00 |
| P10139 | Padilla & Associates | Consultant for DBE/UDBE contract terminology and goals; RFQ, RFP, SOQ language; creation of DBE/UDBE contract specific goals | Yes – Firm was selected based upon demonstrated experience with transportation agencies and the company's unique qualifications | 12,750.00 |
| P10140 | Techno West | Clean, blast, and primer 24 ea various sized plates and bearing assemblies (both sides) | No | 6,461.00 |
| P10141 | TH Enterprises, Inc. | Purchase and install HP Proliant DG 160 GB Server and Moceris Windows Server 2008 | No – Per Contract A09192 | 6,205.00 |
| P10145 | Chung & Chung Accountancy | Services for completion of year-end audit and reconciliation of the existing Measure I sales tax | Yes – urgent time constraints | 36,000.00 |
| | | | TOTAL PURCHASE ORDERS ISSUED | \$ 73,816.00 |

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 4

Date: January 13, 2010

Subject: Measure I Revenue Receipts-Program to Date

Recommendation:* Receive and File Report

Background: Sales tax revenue collections for the current Measure I will soon expire and will be replaced by the new Measure I 2010-2014. It was originally estimated the existing Measure I revenue would generate approximately \$1.6 billion over a twenty year period. Current accumulative total receipts have already exceeded this estimate.

Attached is a summary of the current Measure I receipts by quarter and accumulative total since its inception. The quarterly receipts represent sales tax collections from the previous quarter taxable sales. For example, receipts for October-December represent sales tax collections from July-September.

Measure I revenue receipts for fiscal year 2008-2009 decreased by \$19.7 million or 13.99% from the previous fiscal year due to the current economic recession. Measure I receipts for the first two quarters of fiscal year 2009-2010 have decreased by 23.33% and 17.18% respectively from the previous fiscal year.

*

Approved
Administrative Committee

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

ADM1001b-ws
ISF10
Attachment:
ADM1001b1-ws

Measure I revenue for the 2009-2010 fiscal year budget was estimated to be \$117.9 million. It is projected Measure I receipts will decrease to \$105 million for fiscal year 2009-2010 based on recent collections. In the past, when actual Measure I revenues were less than budget estimates; the shortfall was offset by undesignated fund balance. The severity of the economic downturn and significant decrease in revenue has made it difficult to rely solely on existing fund balances. Project cash flows must be strictly monitored and other funding and/or expenditure reduction alternatives considered in the future.

Financial Impact: The decrease in current and future Measure I collections will have a negative impact on borrowing and delivery of major projects. The economy and future Measure I revenues are not expected to improve until the later part of 2010.

Reviewed By: This item is scheduled for review by the Administrative Committee on January 13, 2010.

Responsible Staff: William Stawarski, Chief Financial Officer

Summary of SANBAG Measure I Receipts - Program to Date

| Fiscal Year | July- September | October- December | January- March | April- June | Fiscal Year Total | Cumulative Total To Date |
|--------------------------------|--------------------|----------------------|-------------------|---------------|----------------------|-----------------------------|
| Receipts Prior to FY 1990/1991 | | | | | | \$4,125,778 |
| Fiscal Year 1990/91 | 11,694,216 | 13,253,537 | 13,308,816 | 12,398,068 | 50,654,637 | \$54,780,415 |
| Fiscal Year 1991/92 | 12,989,297 | 13,860,186 | 14,037,623 | 12,897,219 | 53,784,325 | \$108,564,740 |
| % Increase Over 90/91 | 11.07% | 4.58% | 5.48% | 4.03% | 6.18% | |
| Fiscal Year 1992/93 | 14,322,191 | 13,757,064 | 13,595,748 | 13,072,609 | 54,747,612 | \$163,312,352 |
| % Increase Over 91/92 | 10.26% | -0.74% | -3.15% | 1.36% | 1.79% | |
| Fiscal Year 1993/94 | 13,675,785 | 13,960,957 | 13,853,502 | 13,352,206 | 54,842,450 | \$218,154,802 |
| % Increase Over 92/93 | -4.51% | 1.48% | -1.90% | 2.14% | 0.17% | |
| Fiscal Year 1994/95 | 14,111,381 | 14,672,672 | 15,389,457 | 13,786,993 | 57,960,503 | \$276,115,305 |
| % Increase Over 93/94 | 3.19% | 5.10% | 11.09% | 3.26% | 5.69% | |
| Fiscal Year 1995/96 | 15,497,128 | 15,461,874 | 15,661,731 | 15,416,635 | 62,037,368 | \$338,152,673 |
| % Increase Over 94/95 | 9.82% | 5.38% | 1.77% | 11.82% | 7.03% | |
| Fiscal Year 1996/97 | 15,911,748 | 15,922,724 | 17,136,362 | 15,875,921 | 64,846,755 | \$402,999,428 |
| % Increase Over 95/96 | 2.68% | 2.98% | 9.42% | 2.98% | 4.53% | |
| Fiscal Year 1997/98 | 17,093,628 | 17,131,536 | 18,487,479 | 16,707,800 | 69,420,443 | \$472,419,871 |
| % Increase Over 96/97 | 7.43% | 7.59% | 7.88% | 5.24% | 7.05% | |
| Fiscal Year 1998/99 | 17,809,667 | 18,707,481 | 18,359,513 | 18,367,306.21 | 73,243,968 | \$545,663,838 |
| % Increase Over 97/98 | 4.19% | 9.20% | -0.69% | 9.93% | 5.51% | |
| Fiscal Year 1999/2000 | 19,895,554 | 19,476,386 | 21,677,510 | 20,386,548 | 81,435,998 | \$627,099,837 |
| % Increase Over 98/99 | 11.71% | 4.11% | 18.07% | 10.99% | 11.18% | |
| Fiscal Year 2000/2001 | 21,954,344 | 23,038,016 | 22,728,229 | 22,266,392 | 89,986,982 | \$717,086,818 |
| % Increase Over 99/00 | 10.35% | 18.29% | 4.85% | 9.22% | 10.50% | |
| Fiscal Year 2001/2002 | 23,148,536 | 23,913,766 | 24,265,400 | 23,130,264 | 94,457,965 | \$811,544,784 |
| % Increase Over 00/01 | 5.44% | 3.80% | 6.76% | 3.88% | 4.97% | |
| Fiscal Year 2002/2003 | 24,290,692 | 26,740,547 | 25,501,345 | 25,618,125 | 102,150,709 | \$913,695,493 |
| % Increase Over 01/02 | 4.93% | 11.82% | 5.09% | 10.76% | 8.14% | |
| Fiscal Year 2003/2004 | 26,423,914 | 27,772,164 | 27,825,658 | 28,329,546 | 110,351,283 | \$1,024,046,775 |
| % Increase Over 02/03 | 8.78% | 3.86% | 9.11% | 10.58% | 8.03% | |
| Fiscal Year 2004/2005 | 31,427,542 | 31,888,708 | 33,685,113 | 31,791,981 | 128,793,344 | \$1,152,840,119 |
| % Increase Over 03/04 | 18.94% | 14.82% | 21.06% | 12.22% | 16.71% | |
| Fiscal Year 2005/2006 | 35,206,940 | 38,420,012 | 37,006,506 | 35,047,331 | 145,680,790 | \$1,298,520,909 |
| % Increase Over 04/05 | 12.03% | 20.48% | 9.86% | 10.24% | 13.11% | |
| Fiscal Year 2006/2007 | 37,702,174 | 39,367,420 | 34,782,181 | 34,899,517 | 146,751,291 | \$1,445,272,200 |
| % Increase Over 05/06 | 7.09% | 2.47% | -6.01% | -0.42% | 0.73% | |
| Fiscal Year 2007/2008 | 37,279,235 | 36,106,832 | 34,172,721 | 33,243,262 | 140,802,050 | \$1,586,074,250 |
| % Increase Over 06/07 | -1.12% | -8.28% | -1.75% | -4.75% | -4.05% | |
| Fiscal Year 2008/2009 | 34,203,118 | 32,404,049 | 28,695,612 | 25,807,074 | 121,109,853 | \$1,707,184,103 |
| % Increase Over 07/08 | -8.25% | -10.26% | -16.03% | -22.37% | -13.99% | |
| Fiscal Year 2009/2010 | 26,224,529 | 26,836,561 | | | 53,061,089 | \$1,760,245,192 |
| % Increase Over 08/09 | -23.33% | -17.18% | | | | |

Interesting Statistics:

| | | |
|--|---|-----------------------------|
| Average annual growth since FY 1990/91 (17 FYs): 4.91% | | Low-Q1 in 90/ \$11,694,216 |
| Lowest Growth Yr-FY 08/09: -13.99% | Highest Growth Yr-FY 04/05: 16.71% | |
| Lowest Growth Period 1st Quarter FY 09/10: -23.33% | Highest Growth Period 3rd Quarter FY 04/05: 21.06% | High-Q2 in 06/ \$39,367,420 |

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 5

Date: January 13, 2010

Subject: Local Transportation Fund (LTF) Revised Apportionment for Fiscal Year 2009/2010 and Recommended Apportionment for Fiscal Year 2010/2011

- Recommendation:** *
1. Approve a decrease of \$11,560,773 to the Fiscal Year 2009/2010 LTF Receipts for a new total of \$53,430,727.
 2. Approve the use of \$1,975,046 of the \$3,975,046 audited unrestricted fund balance to minimize the impact of the loss of revenue in FY 2009/2010, retaining the remaining \$2,000,000 unrestricted balance as a Fund Reserve for any shortfall during the current or subsequent fiscal years.
 3. Approve an LTF Estimated Apportionment of \$54,232,188 for Fiscal Year 2010/2011.

Background: Pursuant to Section 6620 of the California Code of Regulations (CCR), the San Bernardino County Auditor/Controller (Auditor) is to provide SANBAG, acting as the County Transportation Commission (Commission), with an estimate of revenue available for apportionment and allocation during the ensuing year (Fiscal Year 2010/2011) and if requested, a revised or updated estimate of revenues for the current fiscal year (2009/2010) prior to February 1st. Section 6644 of the CCR requires that the Commission determine and advise all

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Approved
Administrative Committee

Date: _____

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Second:

In Favor:

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Witnessed: _____

prospective claimants of the amount of all area apportionments for the next fiscal year by March 1st.

Annually, the Commission staff presents an estimate of current and subsequent year LTF receipts to the Auditor in December and requests the Auditor to concur or provide a different estimate. The current year adopted LTF Apportionment is \$64,991,500. Based upon a review of the LTF revenue received through December, staff is projecting a shortfall of \$11,560,773, a 17.8% decrease.

The audited unrestricted fund balance for Fiscal Year 2008/2009 is \$3,975,046. Staff is recommending that \$1,975,046 of the unrestricted balance be used to minimize the impact of \$11,560,773 decrease in the current year apportionment to the various areas. Further, staff is recommending that the remainder of the unrestricted balance (\$2,000,000) be retained for any shortfall in LTF receipts during the current or subsequent fiscal year. (Attachment A)

For Fiscal Year 2010/2011, a LTF estimate of \$53,430,727 is recommended which reflects a growth of 1.5%. On December 18th, staff from the Commission and the Auditor's met to discuss the estimated LTF receipts for the current and next fiscal years. Subsequent to that meeting, the Commission received a formal response from the Auditor's office concurring with the Commission staff's estimate of LTF receipts for both the current and subsequent fiscal year. The apportionment of these funds to areas is shown in Attachment B.

Pursuant to Sections 992331, of the California Public Utilities Code, (CPUC), the Commission and the Auditor shall allocate such sums as are necessary for the administrative responsibilities under the Transportation Development Act (TDA). The Auditor's staff is requesting an allocation of \$23,000, an increase of \$3,000. The Auditor has not had an increase in two years. The estimated amount to be allocated to the Commission for its expenses associated with TDA administration, fiscal and compliance audits of all claimants (except Omnitrans) and the two funds (LTF and STAF) is \$450,000.

Pursuant to Section 99233.2(b)(1) of the CPUC, up to 3% of the annual LTF receipts may be allocated to the Commission for its transportation planning and programming functions. Based upon the revised LTF estimate for Fiscal Year 2009/2010, the amount available to the Commission would be \$287,572 less than the amount approved in the adopted budget. The amount of LTF planning funds available to the Commission for Fiscal Year 2010/2011 would be \$1,626,966.

Further, pursuant to Section 99233.2(b)(2) of the CPUC, Southern California Association of Governments (SCAG) shall be allocated not more than one million dollars (\$1,000,000) by the appropriate entities, proportionately. For Fiscal Year 2009/2010 SCAG revised SANBAG's allocation however did not notify SANBAG until after the FY 2009/2010 LTF Estimates had been adopted, thus the increase of \$5,300 to the SCAG planning allocation for Fiscal Year 2009/2010. The SCAG planning allocation in Attachment B is a place holder reflecting SANBAG's allocation for the current year.

Financial Impact: The Commission is the designated agency responsible for the administration of the LTF for San Bernardino County. Adoption of the revised LTF apportionment for the current fiscal year reduces the amount available to the Commission for planning by \$287,572. The lower apportionments for this fiscal year should not affect the Mountain/Desert transit agencies, however will reduce the amount available for street and road purposes to those jurisdictions in the Mountain/Desert. Finally, the reduction in the current year apportionment will reduce the amount available to Omnitrans by \$6,635,979, which Omnitrans can substitute by use of their Unrestricted Net Assets.

Reviewed By: This item is scheduled for review by the Administrative Committee on January 13, 2010.

Responsible Staff: Victoria Baker, Senior Transit Analyst

San Bernardino County Local Transportation Fund
Fiscal Year 2009 - 2010
Revised Apportionments

| | APPORTIONMENT | REVISED APPORTIONMENT | DIFFERENCE |
|--|----------------------|-----------------------|-----------------------|
| Prior Year Reserve | \$ - | \$ 3,975,046 | \$ 3,975,046 |
| Estimated Annual LTF Receipts | \$ 64,991,500 | \$ 53,430,727 | \$ (11,560,773) |
| Fund Reservation | \$ - | \$ (2,000,000) | \$ (2,000,000) |
| Total Etimated Funds Available | \$ 64,991,500 | \$ 55,405,773 | \$ (9,585,727) |
| Auditor's Administrative Cost | \$ 20,000 | \$ 20,000 | \$ - |
| SANBAG's Administrative Cost | \$ 425,000 | \$ 425,000 | \$ - |
| County Transportation Commission Planning | \$ 1,949,745 | \$ 1,662,173 | \$ (287,572) |
| SCAG Planning | \$ 119,600 | \$ 124,900 | \$ 5,300 |
| Resulting Balance | \$ 62,477,155 | \$ 53,173,700 | \$ (9,303,455) |
| Article 3 (SB821) Program | \$ 1,249,543 | \$ 1,063,474 | \$ (186,069) |
| Balance Available for Apportionment | \$ 61,227,612 | \$ 52,110,226 | \$ (9,117,386) |
| Apportionment Area | Population | Percentage | |
| Valley | 1,495,588 | 72.7509% | \$ 37,910,652 |
| Adelanto | 28,181 | 1.3708% | \$ 714,341 |
| Apple Valley | 70,092 | 3.4095% | \$ 1,776,715 |
| Barstow | 23,952 | 1.1651% | \$ 607,143 |
| Big Bear Lake | 6,256 | 0.3043% | \$ 158,579 |
| Hesperia | 87,820 | 4.2719% | \$ 2,226,090 |
| Needles | 5,807 | 0.2825% | \$ 147,198 |
| Twentynine Palms | 27,966 | 1.3604% | \$ 708,891 |
| Victorville | 107,408 | 5.2247% | \$ 2,722,613 |
| Yucca Valley | 21,268 | 1.0346% | \$ 539,108 |
| County - Unincorporated | 181,428 | 8.8253% | \$ 4,598,896 |
| Total | 2,055,766 | 100.0000% | \$ 52,110,226 |
| | | | \$ (9,117,386) |

Population Source: DOF 1/1/08
SANBAG's Administrative Cost Includes TDA Administration & Claimant Compliance Audits
SCAG Planning apportioned to Commission counties based on LTF Revenue Estimates
Estimated Annual LTF Receipts per SANBAG/County Auditor 12/2008

Apportionments

| | | APPORTIONMENT | |
|---|------------|----------------|---------------|
| Prior Year Reserve | | \$ 2,000,000 | |
| Estimated Annual LTF Receipts | | \$ 54,232,188 | |
| Fund Reservation | | \$ (2,000,000) | |
| Total Etmted Funds Available | | \$ 54,232,188 | |
| Auditor's Administrative Cost | | \$ 23,000 | |
| SANBAG's Administrative Cost | | \$ 450,000 | |
| County Transportation Commission Planning | | \$ 1,626,966 | |
| SCAG Planning | | \$ 124,900 | |
| Resulting Balance | | \$ 52,007,322 | |
| Article 3 (SB821) Program | | \$ 1,040,146 | |
| Balance Available for Apportionment | | \$ 50,967,176 | |
| Apportionment Area | Population | Percentage | APPORTIONMENT |
| Valley | 1,497,196 | 72.6459% | \$ 37,025,572 |
| Adelanto | 28,265 | 1.3715% | \$ 698,992 |
| Apple Valley | 69,861 | 3.3897% | \$ 1,727,659 |
| Barstow | 24,213 | 1.1748% | \$ 598,786 |
| Big Bear Lake | 6,255 | 0.3035% | \$ 154,686 |
| Hesperia | 88,184 | 4.2788% | \$ 2,180,785 |
| Needles | 5,793 | 0.2811% | \$ 143,261 |
| Twentynine Palms | 30,832 | 1.4960% | \$ 762,474 |
| Victorville | 109,441 | 5.3102% | \$ 2,706,470 |
| Yucca Valley | 21,239 | 1.0305% | \$ 525,239 |
| County - Unincorporated | 179,671 | 8.7179% | \$ 4,443,254 |
| Total | 2,060,950 | 100.0000% | \$ 50,967,176 |

SCAG Planning appointed to Commission based on 2009
Estimated Annual LTF Receipts per SANBAG/County Auditor 12/2009

Minute Action

AGENDA ITEM: 6

Date: January 13, 2010

Subject: FY 2010 Mid-Year Budget Review and Budget Amendment Authorization

Recommendation: *

1. Authorize the Executive Director to move funds in the approved 2009/2010 SANBAG budget from one Program area to another as may be required to adjust for changing revenue sources; and
2. Authorize the Executive Director to amend the 2009/2010 SANBAG budget as required up to a total amount of \$1,220,612 using Measure I Administrative, Traffic Management and Environmental Enhancement, and Major Projects Funds from the undesignated fund balances.

Background: SANBAG staff has been monitoring the revenue received from various sources during the current year compared to 2009/2010 budget estimates and has conducted a mid-year review of budget to actual expenditures. Reports on Measure I revenue and Local Transportation Fund revenue adjustments are presented in separate items of this Administrative Committee agenda.

This item requests that the Executive Director be authorized to move funds in the adopted budget from one Program area to another as may be required to adjust for changing revenue sources. Staff is currently authorized to move funds among Tasks within a Program, but not from one Program to another. This authorization will allow SANBAG to adjust funding levels and specific fund types where appropriate to best manage expenditures within the adopted budget. This

Approved
Administrative Committee

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

authority will provide added flexibility to address additional revenue shortfalls that were not anticipated upon adoption of the SANBAG budget.

This item also requests that the Executive Director be authorized to increase the budget as required up to a total amount of \$1,220,612 to correct for unbudgeted expenses in the following areas:

Fringe Allocations. A shortfall in funding of the Fringe allocation in the amount of \$726,361 has been identified. This was due to lack of budget for the Retirement and Medical Trust Account in the fringe pool and fringe leave pay (administrative, holiday, sick, and vacation) inadvertently being included in the salary base for fringe calculation. These costs will accrue to various SANBAG tasks, based upon actual staff hours charged to specific task activities.

Indirect Allocation. Additional costs to the Indirect Allocation budget in the amount of \$369,251 are anticipated. These additional costs are being incurred as a result of need for temporary help for assistance with the year-end audit, implementation of the new financial accounting system, and closeout of Measure I 1990-2010.

County Transportation Commission General, Task No. 60110000. This task was inadvertently under-budgeted in an amount of \$125,000 below prior year levels, while activities related to this task have increased to address the challenges of shifts in transportation funding. An amendment to this task is required to correct the shortfall for commission fees, meeting expenses, and mileage.

The annual amounts for the budget adjustments listed above are in alignment with prior year Fringe, Indirect, and Commission budgeted rates. The need for these budget adjustments was reported to SANBAG officers and chairs in Fall of 2009, indicating that the necessary budget amendment would be requested as part of the mid-year review.

As the Board is aware, individual tasks within the SANBAG budget are funded with various types of both restricted and unrestricted revenue. Every effort is being made to minimize expenditures within tasks while assuring that critical activities move forward, depending upon fund availability. Well over 50 percent of the SANBAG budget is related to project delivery and is significantly impacted by project readiness and release of funds from other funding agencies. Aside from these major construction projects and pass-through programs, SANBAG expenditures related to staff and operational costs of the agency constitute a relatively small percentage of the agency budget. Significant reductions of

expenditures in these areas are very difficult to achieve without impacting programs and project delivery.

The added flexibility provided as part of the recommendations in this item will give management the ability to adjust fund types and expenditures in accordance with specific program activities. SANBAG staff will continue to monitor budget-to-actual reports and reduce expenditures where appropriate. Five approved positions remain vacant and will not be filled until appropriate under the current budgetary situation. Staff will continue to monitor expenditures and report to the Administrative Committee through the end of the fiscal year.

Financial Impact: This item authorizes budget amendments up to \$1,220,612 to various tasks within the FY 2009/2010 as required, funded from unallocated Measure I Administrative, Traffic Management and Environmental Mitigation, and Major Projects Fund balances. The remaining unbudgeted fund balances of these combined sources after this amendment totals approximately \$60 million.

Reviewed By: This item is scheduled for review by the Administrative Committee on January 13, 2010.

Responsible Staff: William Stawarski, Chief Financial Officer

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 7

Date: January 13, 2010

Subject: SANBAG 2010/2011 Budget Schedule

Recommendation:* Approve 2010/2011 Budget Schedule

Background: The preparation of the fiscal year 2010/2011 budget requires a schedule for development, consideration and adoption of the final budget appropriations.

The Administrative Committee is the primarily responsible for policy input for the development and review of the budget. Other policy committees are also scheduled to consider proposed tasks under their purview.

A full Board of Directors Budget Workshop is scheduled in conjunction with the May Administrative Committee meeting for consideration of the proposed budget. Final budget adoption for fiscal year 2010/2011 is scheduled for the June Board of Directors meeting.

Financial Impact: This item has no immediate budgetary impact.

Reviewed By: This item is scheduled for review by the Administrative Committee on January 13, 2010.

Responsible Staff: William Stawarski, Chief Financial Officer

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*Approved
Administrative committee*

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

SANBAG Fiscal Year 2010/2011 Budget Schedule

| <u>DATE</u> | <u>ACTIVITY</u> |
|--------------------|---|
| January 13, 2010 | Administrative Committee Review and Discussion of 2010/2011 Budget Schedule |
| February 3, 2010 | Board Approval of 2010/2011 Budget Schedule |
| March 10, 2010 | Administrative Committee Review of Tasks |
| March 11, 2010 | Major Projects Committee Review of Tasks |
| March 17, 2010 | Plans and Programs Committee Review of Tasks |
| March 18, 2010 | Commuter Rail & Transit Committee Review of Tasks |
| March 26, 2010 | Mountain/Desert Committee Review of Tasks |
| April 14, 2010 | Administrative Committee Program Review |
| April 15, 2010 | Major Projects Committee Further Review of Tasks if Required |
| April 16, 2010 | Mountain/Desert Committee Further Review of Tasks if Required |
| April 21, 2010 | Plans and Programs Committee Further Review of Tasks if Required |
| May 5, 2010 | Board of Directors Presentation of the Proposed Budget |
| May 12, 2010 | Board of directors Budget Workshop in Conjunction with Administrative Committee Meeting |
| June 2, 2010 | Board of Directors Adoption of the SANBAG Fiscal Year 2010/2011 Budget |

Minute Action

AGENDA ITEM: 8

Date: January 13, 2010

Subject: San Bernardino Associated Governments (SANBAG) Financial Audit

Recommendation:* Receive the Annual Financial Audit for FY 2008/2009

Background: The Joint Powers Agreement creating SANBAG, as well as the Single Audit Act and the U.S. Office of Management and Budget (OMB) require an annual audit be conducted of SANBAG and its affiliated organizations. The audit of the financial statements for fiscal year 2008/2009 has been conducted by the firm of Vavrinek, Trine, Day & Co., LLP.

The financial audit was comprised of four basic elements:

1. Audit of SANBAG's Basic Financial Statements.
2. Audit of the State Transit Assistance Fund of the County of San Bernardino.
3. Audit of the Local Transportation Fund of the County of San Bernardino.
4. Single Audit Compliance Reports in accordance the OMB.

The audits of the Basic Financial Statements, State Transit Assistance and Local Transportation Funds, and Single Audit will be submitted at the Administrative Committee and Audit Subcommittee meetings on January 13, 2010. A management letter from Vavrinek, Trine, Day & Co. will also be included at that time.

Approved
Administrative Committee

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

Financial Impact: This item has no direct impact on the budget. The findings presented are the result of an audit performed by Vavrinek, Trine, Day & Co., LLP. The audit contract costs are budgeted for in the Indirect-General (ISF10) and TDA Administration (50210000) tasks.

Reviewed By: This item is scheduled for review by the Administrative Committee on January 13, 2010.

Responsible Staff: William Stawarski, Chief Financial Officer

Minute Action

AGENDA ITEM: 9

Date: January 13, 2010

Subject: Request for Proposal (RFP) for Property Management/Facilities Management Services

Recommendation: * Authorize staff to release Request for Proposal (RFP) 10164 for Property Management/Facilities Management Services of the San Bernardino Depot.

Background: This intent of the RFP is to seek proposals from qualified vendors for property and facilities management services, with a contract to be issued by July 1, 2010. The current contract with CityCom Real Estate Services will end June 30, 2010. The scope of services for the new contract includes the following:

- a. Marketing leasable space;
- b. Screening of prospective tenants and negotiating leases for leasable space for approval by SANBAG after conferring with the City;
- c. Managing pre-existing and new leases, including the payment and allocation of common area and non-lease space expenses, the collection of rental income, handling eviction proceedings, and the distribution of any net rental income revenue to the City of San Bernardino and SANBAG. Adjustments to the allocation of common area and non-leased space expenses shall be made not more frequently than every six months;
- d. Hiring and oversight of a firm to provide security at the depot and its immediately adjacent parking areas (common areas) 24-hour 7-days/week;

Approved
Administrative Committee

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

- e. Hiring and oversight of a firm to provide landscaping services for the common area;
- f. Manage competitive bidding for any maintenance or repair services required for the building and common areas, including but not limited to HVAC, pest control, lighting, fire extinguisher and alarm systems, window cleaning, elevator repairs, day porter etc.;
- g. Hiring and oversight of a firm for janitorial services including but not limited to building interior cleaning and trash removal for SANBAG and all office tenants, but would not apply to a restaurant or other food-related use that would be responsible for its own janitorial service. Janitorial services will also be required following any scheduled use of the banquet/community room;
- h. Facilitate day-to-day building maintenance and repairs as needed;
- i. Maintaining the methodology of allocating and documenting common area cost amongst all leasable space;
- j. Document and allocate non-leased space cost amongst SANBAG and the City;
- k. To market, schedule, and arrange accommodations for the availability of the Banquet/Board meeting room for community meetings and other events;
- l. Prepare periodic comparative market analysis of current rental values.

Financial Impact: This item is consistent with the FY 2009/2010 budget. TN 80510000.

Reviewed By: This item will be reviewed by the Administrative Committee on January 13, 2010. SANBAG Counsel has reviewed and approved the draft RFP as to form.

Responsible Staff: Duane Baker, Director of Management Services

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 10

Date: January 13, 2010

Subject: Amendment to Contract C09054 with the County of San Bernardino for Project Management Services for the Implementation of a New Financial Management Software System

Recommendation:* Approve Amendment Number 1 to Contract C09054 with the County of San Bernardino for Financial Management Software System Project Management and Implementation Assistance by increasing the contract authority by \$50,000 as outlined in the Financial Impact Section.

Background: On September 3, 2008, the SANBAG Board of Directors approved Contract C09054 with the County of San Bernardino to provide project management support for the development and implementation of the SANBAG Financial Management Software System. The original amount was not to exceed \$257,400 and was to cover a 20 month period.

As work has progressed on this project and the details and intricacies involved in implementing an entirely new financial and project accounting system became apparent, it was clear that additional resources were needed for this project. This need was reflected in the approved Fiscal Year 2009/2010 budget but the contract authority was not increased. This action will increase the contract authority consistent with the budget.

Financial Impact: This item is consistent with the adopted Fiscal Year 2009/2010 budget. Funding for the additional \$50,000 is provided in Task Number IAM10.

Reviewed By: This item will be reviewed by the Administrative Committee on January 13, 2010.

Responsible Staff: Duane A. Baker, Director of Management Services

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Approved
Administrative Committee

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

by and between San Bernardino Associated Governments and County of San Bernardino
for Project Management Services for the Implementation of Financial Management System

| CONTRACT MANAGEMENT | | | |
|--|---|--|--|
| Check all applicable boxes: | | | |
| <input checked="" type="checkbox"/> Intergovernmental | <input type="checkbox"/> Private | <input type="checkbox"/> Federal Funds | <input type="checkbox"/> State/Local Funds |
| <input type="checkbox"/> Disadvantaged Business Enterprise (DBE) | <input type="checkbox"/> Underutilized DBE (UDBE) | | |

Chief Financial Officer Signature _____ Date _____

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Minute Action

AGENDA ITEM: 11

Date: January 13, 2010

Subject: SANBAG's 2009 Council of Government Activities

Recommendation:* Receive report on SANBAG's Council of Government Activities for 2009.

Background: One of SANBAG's primary roles is to serve as the Council of Governments (COG) for San Bernardino County. This report outlines some of the major COG activities started or continued in the past year.

- **Inland Empire Economic Recovery Corporation and Foreclosure Prevention** – Contributed \$50,000 to the Inland Empire Economic Recovery Corporation to assist with a series of foreclosure prevention seminars throughout the region. These seminars brought lenders, the FHA and other mortgage experts to local communities to provide individuals with knowledge on how they can prevent foreclosure. In some cases lenders were able to work out modifications with individuals at the seminars.
- **Regional Greenhouse Gas Inventory and Reduction Plan** – Coordinated participation of cities with SANBAG to complete a Regional Greenhouse Gas Inventory and Reduction Plan. Recent legislation is requiring local agencies to account for greenhouse gas emissions in their general plan efforts. By working collaboratively on a regional effort, costs for individual cities are reduced and a better planning document can be created.

Approved
Administrative Committee

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

- **Storm Water Permit Renewal** – Coordinated efforts with the County and cities to make sure that local concerns are considered in a new Storm Water Permit to be issued by the Santa Ana Regional Water Quality Control Board.
- **Planning and Development Technical Forum** – Created this technical advisory group as a place for planning and development officials from local agencies in San Bernardino County to come together to work collaboratively on issues of interest to all. Issues that will be addressed include SB 375, greenhouse gas regulations, regional growth forecasts, model ordinances for water efficiency and other items of mutual interest.
- **Inland Empire Annual Survey** – Continue sponsorship of the Inland Empire Annual Survey to track attitudes of our residents on a number of key indicators on the economy, transportation, safety and quality of life issues. This Annual Survey has been conducted for many years and helps to track changes over time as well as provide policy makers with information on needs of our citizens.
- **City/County Conference** – Continue to sponsor the annual City/County Conference. This is the one event where policy makers and senior managers from every local government in the County can gather to discuss items of mutual concern and solutions to issues facing our region.
- **Forum for Information** – SANBAG serves as the forum for policy makers from every city and the County to come together regularly. This forum serves as an efficient way to share information like the recent report on wildland fire fighting and the response to the Sheep Fire.

Many of these efforts will be continuing in 2010. In addition we will be exploring the effort required and the benefits derived from being designated a Clean Cities community through the Department of Energy. More on that effort will be presented to SANBAG policy committees later this year.

Financial Impact: This item has no direct financial impact. The items listed above have been before the SANBAG Board of Director individually for separate budget authorization and approval.

Reviewed By: This item will be reviewed by the Administrative Committee on January 13, 2010.

Responsible Staff: Duane A. Baker, Director of Management Services

Minute Action

AGENDA ITEM: 12

Date: January 13, 2010

Subject: Overview of SB 83 (Hancock), Chapter 554

Recommendation: Receive information and provide direction.

Background: In 2009, the State Legislature authorized countywide transportation planning agencies/congestion management agency (CMA) to implement, upon a majority vote of the electorate, an annual fee of up to \$10 on motor vehicles registered in a county for transportation-related programs and projects. Please refer to Attachment 1 for a detailed summary and analysis of the Bill.

Specifically, SB 83 provides the following stipulations if a CMA desires to place a fee on the ballot for voter consideration:

- Before placing a measure before the voters, the CMA governing board must adopt a resolution containing a finding of fact that projects and programs to be funded by the fee have a relationship or benefit to the persons who will be paying the fee and are consistent with the regional transportation plan.
- The finding of fact requires a majority vote of the governing board.

Approved
Administrative Committee

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

- The CMA governing board must also adopt a plan for the expenditure of fee revenues that finance projects and programs benefiting the persons paying the fee.
- The fee revenue is to be expended on congestion mitigation or pollution mitigation programs and projects.
- Defines "congestion mitigations programs and projects" and "pollution mitigation programs and projects".
- Limits the administrative expenses to 5% of the revenue collected by a CMA.
- Requires the Department of Motor Vehicles (DMV) to collect the fee upon the registration or renewal of the registration of a motor vehicle registered in the county.

Congestion Management Agency: A "countywide transportation agency" is defined in the bill as a "congestion management agency", as designated under law. SANBAG is the designated congestion management agency for San Bernardino County, and therefore authorized to exercise the powers under the bill to place a measure before the voters to impose a supplemental vehicle registration fee.

Eligible projects are broadly defined and can include both highway and transit projects (including transit operating expenses); however, the motivation of the author appears to point at congestion mitigation measures such as technological improvements (such as signal synchronization) and/or traveler information systems that both improve the operating efficiency of current infrastructure. The key in developing an expenditure plan under this program is identifying projects that have a nexus with the users who pay the fee that can be supported by a finding of fact, as the statute requires.

Estimated Revenue Generation

As the designated Service Authority for Freeway Emergencies (SAFE) for the County, SANBAG has collected a \$1 fee per registered vehicle since 1991 to fund the county wide call box program. It is anticipated that for this Fiscal Year (FY), the \$1 DMV fee will generate \$1.6 million for the program. Note that this revenue source is much more stable than sales tax and other types of use taxes, and over the past 13 years on average the SAFE has seen on average an increase of 2.25% per year in revenue. Growth was as high as 5% in FYs 04 and 05, and in FY 1997 there was a decline of 5%. Other than growth or decline in vehicles sales, the greatest

impact on the number of vehicles registered in the State seems to be tied to the overall cost to register the vehicles.

It is anticipated that a fee imposed in the County pursuant to SB 83 could generate anywhere from \$1.6 million to \$16 million (\$1 fee up to \$10 fee). Note that DMV only permits fee increases in dollar amounts; so for example, a \$1.50 fee levied is not permitted.

Things to Consider

Taxpayer organizations have contested registration fee measures on the basis that they believe the fees are taxes, thus requiring two-thirds voter approval. The bill requirement for a finding of fact on the nexus of benefit to user has satisfied the Governor, but not taxpayer advocate groups.

Additionally, funding from a voter-approved fee might absorb potential loss of funding from other state/federal resources due to the state budget deficit and the potential change of transportation programs authorized by Congress.

This item is intended to be an informational item for the SANBAG Board of Directors so that board members are aware that this tool has been made available by the Legislature. No action related to SB 83 authority is recommended at this time. It is expected that in 2010, additional legislative proposals to authorize vehicle license fees for other transportation programs will be introduced. SANBAG staff will monitor these proposals and keep the board apprised.

Financial Impact:

This item has no direct impact on SANBAG's FY 2009-10 Budget; however, future positive financial impacts to SANBAG's programs might result from a voter approved initiative.

Reviewed By:

This item is scheduled for review by the Administrative Committee on January 13, 2010.

Responsible Staff:

Michelle Kirkhoff, Director of Air Quality/Mobility Programs

ATTACHMENT #1

SB 83 (Hancock)

Version Date: 10/11/2009

Bill Analyzed: 10/27/2009

Bill location: Chaptered

Brief Summary

Authorizes a countywide transportation planning agency to impose, upon a majority vote of the electorate, an annual fee of up to \$10 on motor vehicles registered in a county for transportation-related programs and projects.

Digest

Specifically SB 83 does the following:

- Before placing a measure before the voters, the governing boards of the countywide transportation planning agency must adopt a resolution containing a finding of fact that projects and programs to be funded by the fee have a relationship or benefit to the persons who will be paying the fee and are consistent with the regional transportation plan.
- The finding of fact requires a majority vote of the governing board.
- The countywide transportation planning agency's governing board must also adopt a plan for the expenditure of fee revenues that finance projects and programs benefiting the persons paying the fee.
- The fee revenue is to be expended on congestion mitigation or pollution mitigation programs and projects.
- Defines "congestion mitigations programs and projects" as (but not limited to):
 - programs and projects identified in an adopted congestion management program or county transportation plan
 - high-occupancy vehicle or high-occupancy toll lanes
 - improved transit
 - services through the use of technology
 - bicycle and pedestrian improvements
 - improved signal coordination
 - traveler information systems
 - highway operational improvements
 - local street and road rehabilitation
 - transit service expansion.
- Defines "pollution mitigation programs and projects" as (but not limited to) programs and projects carried out by a CMA, a regional water quality control board, an air pollution control district (APCD), an air quality management district (AQMD), or another public agency that is carrying out the adopted plan of a CMA, a regional water quality control board, an APCD or an AQMD.
- Limits the use of fee revenues to 5% by the countywide transportation planning agency for administrative costs.
- Requires the Department of Motor Vehicles (DMV) to collect the fee upon the registration or renewal of the registration of a motor vehicle registered in the county.

Background

Current Registration Fees: Under current law, there are a number of approved fees statutorily imposed on registration of vehicles in this state:

- The basic vehicle registration fee is \$34, plus a \$22 surcharge for additional personnel for the California Highway Patrol (CHP),

- Authority also exists for local agencies until January 1, 2010 to impose separate vehicle registration fee surcharges in their respective jurisdictions for a variety of special programs, including:
 - A. One dollar for service authorities for freeway emergencies.
 - B. One dollar for deterring and prosecuting vehicle theft.
 - C. Up to seven dollars for air quality programs.
 - D. One dollar for removing abandoned vehicles.
 - E. One dollar for fingerprint identification.

Congestion Management Agency: A “countywide transportation agency” is defined in the bill as a “congestion management agency”, as designated under law. SANBAG is the designated congestion management agency for San Bernardino County, and therefore authorized to exercise the powers under the bill to place a measure before the voters to impose a supplemental vehicle registration fee.

Analysis

Project types that would be eligible to be funded by funds generated by SB 83:

- Projects that provide matching funds for funding made available for transportation programs from state general obligation bonds.
- Projects creating or sustaining congestion mitigation programs.
- Projects creating or sustaining pollution mitigation programs.

Restrictions for using these funds:

- The project must directly benefit the owners of motor vehicles paying the fee.
- The project must be consistent with a Regional transportation Plan (RTP).
- The project must be adopted into the countywide expenditure plan.

Discussion

SB 83 emerged at the end of this year’s legislative session after the author’s similar bill, SB 205 (Hancock), was retained in the Assembly Appropriations Suspense File. SB 83 represents the culmination of several years of effort by several authors to enact a broad-based local authority for a county-wide registration fee on vehicles to augment current transportation funds.

A key issue for the governor on prior bills has been his insistence that the fee require local voter approval. He has vetoed differing versions of the registration fee authority that did not contain voter consideration.

Taxpayer organizations have contested registration fee measures on the basis that they believe the fees are taxes, thus requiring two-thirds voter approval. The bill requirement for a finding of fact on the nexus of benefit to user has satisfied the Governor, but not taxpayer advocate groups.

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 13

Date: January 13, 2010

Subject: State Legislative Update

Recommendation:* Receive and file presentation by Mark Watts, SANBAG's State Legislative Advocate, regarding recent activity in Sacramento.

Background: SANBAG's State Legislative Advocate in Sacramento will brief the committee on the latest developments in the Capitol that impact transportation. Among the highlights are the looming budget battle and the Administration's proposals.

Before the Christmas holiday, the *Los Angeles Times* ran articles that leaked proposals by the Schwarzenegger Administration to fill a projected \$21 billion state budget deficit awaiting the legislature. Among the maneuvers proposed by the Governor is a complex change in the tax structure that would erode voter-approved constitutional protections of transportation funding. The proposal would eliminate the sales tax on gasoline and diesel fuels, which is currently protected for transportation uses by Proposition 42 (2002) and Proposition 1A (2006). The Governor's plan would then hike the state excise tax on motor fuels by an unspecified amount to replace a portion of the lost transportation revenue. According to the *Times*, this would result in a five cent reduction in the price per gallon of gasoline. However, the consequence of such a gimmick would be dramatic to transportation funding. The Governor's plan would eliminate the funding source that Prop. 42 is designed to protect and then raise the revenue in a different account that does not enjoy Prop. 42 protections. This creative accounting would circumvent several voter-approved constitutional initiatives and

Approved
Administrative Committee

Date: _____

Moved:

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Opposed:

Abstained:

Witnessed: _____

make transportation revenue vulnerable to general fund raids without limit. Additionally, the Governor's purported plan includes another raid of transit funding despite the fact that the Administration recently lost a California Supreme Court ruling that affirmed previous raids of transit funds were unconstitutional. Many SANBAG projects will be in jeopardy if transportation revenue is diverted to balance the state's general fund. State support for transit has been made available for both capital and operational purposes. Elimination of this source of funding will result in more pressure on the STIP, and could impact roadway projects and transit improvements equally. Further, the loss of operational support comes at a time that local agencies will be contending with the implementation of SB 375; reduced transit funding may make the adoption of required sustainable community plans more difficult and threaten the ability for agencies to continue to program roadway improvements.

While the Governor's proposal may not survive the legislative process, with very few options remaining at its disposal, transportation could be on the chopping block throughout the year. This is the opening salvo in a long year ahead for the California transportation industry. Last summer, the Governor's proposal to eliminate city and county roadway funding came very close to reality and it is expected that this concept may well find its way into this year's budget negotiations. SANBAG will work with allies such as the Self-Help Counties Coalition, Transportation California, California Alliance for Jobs, Mobility 21, the League of California Cities, the California State Association of Counties, and local business advocacy groups to inform the Legislature of the long-term economic ramifications of delaying infrastructure projects.

The transportation sector may yet see more negative fallout from the ongoing budget crisis due to the Alameda Superior court's December ruling against the Governor's furlough program for state workers. If the ruling stands, there is a distinct possibility that state workers will be in line for back payments, adding stress to an already over-burdened state budget. This will increase pressure to seek deeper cuts or revenue transfers, bringing more pressure on transportation programs to "share" in the budget pain. Further, if furloughs are no longer permitted, it is likely that the Administration will begin to reduce the state workforce through lay-offs. This would impact regulatory agencies like CARB and other environmental agencies, through which most transportation projects are required to obtain permits and environmental clearances.

In other news, transportation policy committees held hearings in Los Angeles and Sacramento throughout the winter on topics such as rail safety, HOV lanes, and

transit funding. Additional hearings on high speed rail and goods movement are scheduled for January.

Financial Impact: This item has no direct impact on the adopted budget.

Reviewed By: This item is scheduled for review by the Administrative Committee on January 13, 2010.

Responsible Staff: Aaron Hake, Director of Intergovernmental & Legislative Affairs

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist SANBAG Board Members and partners as they participate in deliberations at SANBAG Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. SANBAG staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

| | |
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| AB | Assembly Bill |
| ACE | Alameda Corridor East |
| ACT | Association for Commuter Transportation |
| ADA | Americans with Disabilities Act |
| ADT | Average Daily Traffic |
| APTA | American Public Transportation Association |
| AQMP | Air Quality Management Plan |
| ARRA | American Recovery and Reinvestment Act |
| ATMIS | Advanced Transportation Management Information Systems |
| BAT | Barstow Area Transit |
| CALACT | California Association for Coordination Transportation |
| CALCOG | California Association of Councils of Governments |
| CALSAFE | California Committee for Service Authorities for Freeway Emergencies |
| CARB | California Air Resources Board |
| CEQA | California Environmental Quality Act |
| CMAQ | Congestion Mitigation and Air Quality |
| CMIA | Corridor Mobility Improvement Account |
| CMP | Congestion Management Program |
| CNG | Compressed Natural Gas |
| COG | Council of Governments |
| CPUC | California Public Utilities Commission |
| CSAC | California State Association of Counties |
| CTA | California Transit Association |
| CTC | California Transportation Commission |
| CTC | County Transportation Commission |
| CTP | Comprehensive Transportation Plan |
| DBE | Disadvantaged Business Enterprise |
| DEMO | Federal Demonstration Funds |
| DOT | Department of Transportation |
| EA | Environmental Assessment |
| E&D | Elderly and Disabled |
| E&H | Elderly and Handicapped |
| EIR | Environmental Impact Report (California) |
| EIS | Environmental Impact Statement (Federal) |
| EPA | Environmental Protection Agency |
| FHWA | Federal Highway Administration |
| FSP | Freeway Service Patrol |
| FRA | Federal Railroad Administration |
| FTA | Federal Transit Administration |
| FTIP | Federal Transportation Improvement Program |
| GFOA | Government Finance Officers Association |
| GIS | Geographic Information Systems |
| HOV | High-Occupancy Vehicle |
| ICTC | Interstate Clean Transportation Corridor |
| IEEP | Inland Empire Economic Partnership |
| ISTEA | Intermodal Surface Transportation Efficiency Act of 1991 |
| IIP/ITIP | Interregional Transportation Improvement Program |
| ITS | Intelligent Transportation Systems |
| IVDA | Inland Valley Development Agency |
| JARC | Job Access Reverse Commute |
| LACMTA | Los Angeles County Metropolitan Transportation Authority |
| LNG | Liquefied Natural Gas |
| LTF | Local Transportation Funds |

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| MAGLEV | Magnetic Levitation |
| MARTA | Mountain Area Regional Transportation Authority |
| MBTA | Morongo Basin Transit Authority |
| MDAB | Mojave Desert Air Basin |
| MDAQMD | Mojave Desert Air Quality Management District |
| MOU | Memorandum of Understanding |
| MPO | Metropolitan Planning Organization |
| MSRC | Mobile Source Air Pollution Reduction Review Committee |
| NAT | Needles Area Transit |
| NEPA | National Environmental Policy Act |
| OA | Obligation Authority |
| OCTA | Orange County Transportation Authority |
| PA&ED | Project Approval and Environmental Document |
| PASTACC | Public and Specialized Transportation Advisory and Coordinating Council |
| PDT | Project Development Team |
| PNRS | Projects of National and Regional Significance |
| PPM | Planning, Programming and Monitoring Funds |
| PSE | Plans, Specifications and Estimates |
| PSR | Project Study Report |
| PTA | Public Transportation Account |
| PTC | Positive Train Control |
| PTMISEA | Public Transportation Modernization, Improvement and Service Enhancement Account |
| RCTC | Riverside County Transportation Commission |
| RDA | Redevelopment Agency |
| RFP | Request for Proposal |
| RIP | Regional Improvement Program |
| RSTIS | Regionally Significant Transportation Investment Study |
| RTIP | Regional Transportation Improvement Program |
| RTP | Regional Transportation Plan |
| RTPA | Regional Transportation Planning Agencies |
| SB | Senate Bill |
| SAFE | Service Authority for Freeway Emergencies |
| SAFETEA-LU | Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users |
| SCAB | South Coast Air Basin |
| SCAG | Southern California Association of Governments |
| SCAQMD | South Coast Air Quality Management District |
| SCRRA | Southern California Regional Rail Authority |
| SHA | State Highway Account |
| SHOPP | State Highway Operations and Protection Program |
| SOV | Single-Occupant Vehicle |
| SRTP | Short Range Transit Plan |
| STAF | State Transit Assistance Funds |
| STIP | State Transportation Improvement Program |
| STP | Surface Transportation Program |
| TAC | Technical Advisory Committee |
| TCIF | Trade Corridor Improvement Fund |
| TCM | Transportation Control Measure |
| TCRP | Traffic Congestion Relief Program |
| TDA | Transportation Development Act |
| TEA | Transportation Enhancement Activities |
| TEA-21 | Transportation Equity Act for the 21 st Century |
| TMC | Transportation Management Center |
| TMEE | Traffic Management and Environmental Enhancement |
| TSM | Transportation Systems Management |
| TSSDRA | Transit System Safety, Security and Disaster Response Account |
| USFWS | United States Fish and Wildlife Service |
| VCTC | Ventura County Transportation Commission |
| VVTA | Victor Valley Transit Authority |
| WRCOG | Western Riverside Council of Governments |

San Bernardino Associated Governments



MISSION STATEMENT

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993
Reaffirmed March 6, 1996